



# UNITED STATES MARINE CORPS

MARINE CORPS BASE  
PSC BOX 20004  
CAMP LEJEUNE, NORTH CAROLINA 28542-0004

BO 5500.5

CINSP

**27 JUN 2001**

## BASE ORDER 5500.5

From: Commanding General, Marine Corps Base  
To: Distribution List

Subj: JUVENILE DISCIPLINARY AND REHABILITATION BOARD

Ref: (a) BO 1752.1F

Encl: (1) List of Members  
(2) Duties of the President  
(3) Procedures for Hearings  
(4) Sample Letter of Notification  
(5) Sample Corrective Actions Letter  
(6) Sample Non-Compliance Letter

1. Orientation. To establish procedures for the conduct and operation of the Camp Lejeune Area Juvenile Disciplinary and Rehabilitation Board.

2. Situation. The Commanding General, Marine Corps Base, Camp Lejeune exercises administrative authority over all personnel and activities within this installation. Dependent juveniles (10 - 17 years of age), when residing in government quarters or otherwise present aboard the installation, are subject to the rules and regulations that govern Marine Corps Base, Camp Lejeune. The Juvenile Disciplinary and Rehabilitation Board, hereinafter called the Board, is a medium whereby juveniles who have committed minor criminal offenses may be diverted from prosecution in Federal Magistrate's Court. Base diversion is intended to address the juvenile offender's conduct by developing a sense of responsibility to the juvenile's community and respect for the persons and property of others.

3. Mission. The Board was created to informally hear cases and to advise and make recommendations to the Commanding General in exercising his inherent command authority to safeguard the good order and discipline of the installation. The Board is not intended to embarrass or to harass the juvenile or parents/legal guardians, but to impress upon the juvenile the consequences of his or her actions or omissions. The Board will assess the degree of involvement and rehabilitative potential of the juvenile; assess

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the seriousness of the misconduct; and if necessary, recommend appropriate corrective action.

4. Execution

a. The Board shall be composed of members listed in enclosure (1).

b. The Commanding General, Marine Corps base, Camp Lejeune, shall be the sponsoring commander for the Board and shall appoint the President of the Board.

c. The President of the Board shall be governed in the performance of his duties by the reference and enclosure (2) to this Order.

d. The Board shall convene once a month, normally the third Friday of each month and at such other times as the President of the Board may direct.

e. The Board shall conduct hearings as designated by the President. Hearings are closed to the public due to privacy act restrictions and the nature of cases brought before the board for consideration.

f. The Board has primary cognizance and disposition authority over all cases concerning dependent juvenile misconduct that is considered minor in nature. Aggravating factors may warrant referral by the President of the Board to the Special Assistant United States Attorney (SAUSA) for consideration of prosecutorial merit without prior Board consideration. Cases exceeding the guidelines below are considered serious and will be referred to the SAUSA for assessment and disposition. Minor offenses that will normally be referred to the Board, include, but are not limited to:

(1) All first-time offense shoplifting cases involving property totaling under \$200 and all other first-time offense cases involving theft of personal or government property totaling under \$200.

(2) All cases involving juvenile fights not resulting in serious bodily harm.

(3) All first-time offense vandalism cases involving property damage under \$200.

(4) All other cases considered minor in nature.

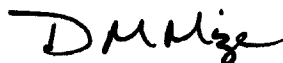
g. The Command Inspector's Office shall maintain an active liaison with appropriate military and civilian authorities concerning juvenile misconduct.

h. The Board shall make appropriate recommendations to the Commanding General, Marine Corps Base, Camp Lejeune, concerning the disposition of dependent juvenile cases involving minor misconduct.

i. The Board shall function under the supervision of the President of the Board. The procedures to be followed for the conduct of the hearings and the processing of juvenile misconduct cases are contained in enclosure (3).

5. Administration and Logistics. Anyone having knowledge of vandalism, theft, disorderly conduct or other misconduct by dependent juveniles on Marine Corps Base property will report such an act or acts without delay to the Military Police.

6. Command and Signal. This Base Order has been coordinated and concurred with by the Commanding General, II Marine Expeditionary Force, 2d Marine Division, 2d Force Service Support Group and the Commanding Officer, Marine Corps Air Station, New River.



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DISTRIBUTION: A

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LIST OF MEMBERS

1. Membership shall consist of representatives from the following organizations and functional areas

(a) The Command Inspector, Marine Corps Base (President of the Board).

(b) The Assistant Chief of Staff, G-7, 2d Marine Division, or his designee.

(c) The Assistant Chief of Staff, G-7, 2d Force Service Support Group, or his designee.

(d) A representative of the Criminal Investigative Department.

(e) The Provost Marshal, Marine Corps Base, or his designee.

(f) The Assistant Principal, Brewster Middle School (CLDS), or his designee.

(g) The Assistant Principal, Lejeune High School (CLDS), or his designee.

(h) The Special Assistant United States Attorney (SAUSA), Staff Judge Advocate, Marine Corps Base, or his designee.

(i) A representative of the Community Counseling Center, Marine Corps Base, as designated by the Director, Community Counseling Center, Marine Corps Base.

(j) The Head of Pediatrics, Camp Lejeune Naval Hospital, or his designee.

(k) A representative of the Family Housing Division, Marine Corps Base, as designated by the Director.

(l) The Station Inspector, Marine Corps Air Station, New River, or his designee.

(m) The Inspector, II Marine Expeditionary Force, or his designee.

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(n) Investigative/Appeals Chief, Command Inspector's Office,  
Marine Corps Base - - non-voting member.

(o) Administration Clerk, Command Inspector's Office, Marine  
Corps Base - - non-voting member.

ENCLOSURE (1)

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DUTIES OF THE PRESIDENT

1. Schedule the time, date, and place for the JDRB meetings and preside at those meetings.
2. Prepare an agenda prior to each JDRB meeting and ensure its distribution to each member at least five (5) days prior to the meeting.
3. Submit the Board minutes with recommendations, to the Commanding General, via the Staff Judge Advocate, for review and approval/disapproval by return endorsement.
4. Ensure adjudicative actions on all approved recommendations are monitored and completed. Ensure coordination is conducted with appropriate military, Onslow County, and federal agencies on approved adjudicative actions.
5. Maintain appropriate records and files pertaining to dependent juvenile misconduct cases and ensure strict confidentiality at all times.

ENCLOSURE (2)

## PROCEDURES FOR HEARINGS

1. General Considerations. The purpose of Board hearings is not to harass the family member, but to impress upon the family member the consequences of his or her actions or omissions. The Board will assess the degree of involvement and rehabilitative potential of the family member; assess the seriousness of the incident; and if necessary, recommend appropriate corrective action. Board members will gather information on dependent juvenile misconduct to formulate appropriate recommendations for the Commanding General's approval/disapproval. Board hearings are administrative in nature and are closed to the public. A Board hearing is not a judicial proceeding; is not bound by any rules of evidence, and is not required to determine any juveniles factual or legal guilt nor if an incident has or has not occurred. The Board will be prepared to hear and duly consider any statement of the sponsor with regard to the incident in question and evidence reasonably available that may be helpful in reaching a fair decision without undue delay. Actions that may be recommended by the Board include, but are not limited to, any or all of the following:

- a. No further action;
- b. Issue Letter of Warning to the sponsor/juvenile;
- c. Suspension or revocation of part or all of the juvenile's Marine Corps Base privileges;
- d. Eviction from government housing;
- e. Debarment of the dependent juvenile from the Greater Camp Lejeune Area Complex (MCB Camp Lejeune and MCAS, New River), MCAS, Cherry Point and facilities;
- f. Referral to the Onslow County Office of Youth Services Program;
- g. Referral to the Marine Corps Base Community Counseling Center for evaluation and counseling as deemed appropriate;
- h. Referral to the Youth Educational Shoplifting (YES), PEERS and or Scared Straight Programs;

ENCLOSURE (3)

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i. Referral to the Special Assistant United States Attorney for prosecution;

j. Any combination of the above.

2. Notification of Sponsor. The Command Inspector's office will notify the military sponsor and sponsor's command of the date and time of the Board hearing. In cases involving deployed military sponsors, the spouse or guardian will be notified directly by a representative of the Command Inspector's office. The spouse or guardian will be instructed to report to the Command Inspector, Building 58, Room 213, to receive the Letter of Notification (enclosure (4)). The Letter of Notification will annotate the date and time of the hearing and requirement to appear in person. The sponsor or guardian will sign the attached Receipt of Notice to Appear at the Board hearing and return it to the Command Inspector for retention and inclusion in the hearing record.

3. Conduct of the Board Hearing. The atmosphere of the hearing will be similar in dignity and seriousness to that of a military board or court and proper decorum will be observed. A quorum must be present at all Board hearings. Board members will address questions to the sponsor/guardian, not the dependent juvenile. The President of the Board has the discretion to exclude any member of the board. The President of the Board shall, in each case, inform the military sponsor or other parent and the dependent juvenile of:

a. The Commanding General's authority to evict military personnel and their families from quarters or government-controlled housing and that such eviction may be for a dependent juvenile's violation of base orders and regulations.

b. That they can present evidence on their own behalf, and can inspect evidence offered against them.

c. That Board proceedings are neither a criminal proceeding nor an interrogation. Counsel for the subject juvenile may be present during Board hearings, however, it is not recommended.

ENCLOSURE (3)



4. Disposition of the Case

a. Board members will review the evidence and receive the testimony of the sponsor. The sponsor will, likewise, have an opportunity to raise questions about the Board or its procedures. After each Board member has had the opportunity to ask questions, the Board will excuse sponsor and command representatives from the hearing for closed deliberations.

(1) Recommendations will be formulated and voted upon by the Board in closed session. Only voting members shall be present during deliberations.

(2) Recommendations for any action(s) shall be made by a two-thirds vote of the members present and voting.

(3) The sponsor, command representative and juvenile will be recalled and the Board's recommendations announced.

b. A report of the hearing will be submitted to the Commanding General for final determination. Once a decision(s) has been rendered, correspondence detailing appropriate action to be completed by the juvenile will be forwarded. Corrective actions must be completed and presented to the Command Inspector's office within ninety days of receipt of the Corrective Actions Letter (enclosure (5)). Failure to comply with the Commanding General's requirements within the established timeframe will result in the individual receiving a Non-Compliance Letter (enclosure (6)). The non-compliance letter will stipulate that any/all requirements must be completed within thirty-days from receipt of the letter. Failure to comply with the non-compliance letter will result in the case being reevaluated for additional administrative actions, which may include, but is not limited to, permanent loss of Base or facility privileges, issuance of persona non-grata letters to the offender, and eviction from Base housing. In addition, the case may be reviewed for prosecution in Federal Court.

c. The President of the Board is responsible for generating any/all correspondence relating to Board actions. Additionally, the President of the Board will gather, maintain and monitor all physical and or documentary evidence considered and any other pertinent documents relating to the case.

ENCLOSURE (3)

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5. Records Disposition. All investigative reports and material relating to incidents involving dependent juveniles shall be considered to be of a confidential nature and maintained in accordance with current regulations and Privacy Act restrictions. Records of the Board hearings shall be retained at the CINSP's Office.

6. Appeals. Any objection by the military sponsor or guardian to the administrative action recommended by the JDRB and approved by the Commanding General will be submitted in writing with pertinent details to the Commanding General (Attn: Command Inspector), Marine Corps Base, CLNC, within 10 working days after official written notification.

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SAMPLE LETTER OF NOTIFICATION

From: Commanding General, Marine Corps Base, Camp Lejeune  
To: (Sponsor)

Subj: NOTICE TO APPEAR AT THE JUVENILE DISCIPLINARY AND  
REHABILITATION BOARD (JDRB) HEARING

Encl: (1) Receipt of Notice to Appear at the Juvenile Disciplinary  
and Rehabilitation Board (JDRB) Hearing

1. You are hereby informed that the Juvenile Disciplinary and Rehabilitation Board (JDRB) will conduct an administrative hearing on, \_\_\_\_\_ at \_\_\_\_\_, in the Command Inspector's Office, Building 58, Room 208, Marine Corps Base, Camp Lejeune. The purpose of this hearing is to consider the misconduct of your dependent, \_\_\_\_\_, who was involved in \_\_\_\_\_ aboard Marine Corps Base, Camp Lejeune, North Carolina.

2. You and your \_\_\_\_\_ shall appear at the hearing at the time indicated.

3. You are required to acknowledge the receipt of this notice to appear at the JDRB hearing by signing and returning the enclosure to the Command Inspector's Office, Building 58, Room 213 not later than \_\_\_\_\_.

4. Point of contact is \_\_\_\_\_ at \_\_\_\_\_.

P. T. MCCLENAHAN  
By direction

ENCLOSURE (4)

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From: (Sponsor)

To: Commanding General, Marine Corps Base, Camp Lejeune  
(Attn: Command Inspector)

Subj: RECEIPT OF NOTICE TO APPEAR AT THE JUVENILE DISCIPLINARY AND  
REHABILITATION BOARD (JDRB) HEARING

Ref: (a) CG, MCB ltr 5370 CINSP of\_\_\_\_\_

1. I acknowledge receipt of the reference and the requirement that I appear with my dependent, \_\_\_\_\_, at the specified time and place. I understand that the Juvenile Disciplinary and \_\_\_\_\_ Rehabilitation Board will conduct the hearing on \_\_\_\_\_, at \_\_\_\_\_, in the Command Inspector's Office, Building 58, Room 208, Marine Corps Base, Camp Lejeune and failure to appear at the designated time constitutes full waiver of our hearing opportunity.

2. Additionally, I am aware of the authority and responsibility of the Commanding General, Marine Corps Base, Camp Lejeune, to take appropriate action in cases of alleged misconduct. I understand the board may recommend any combination of the following actions to the Commanding General (the list is not all inclusive):

- a. No further action;
- b. Letter of warning to sponsor/juvenile;
- c. Suspension or revocation of part or all of the juvenile's Marine Corps Base privileges;
- d. Eviction from government housing;
- e. Debarment from Marine Corps Bases, Eastern Area (MCABE) and facilities;
- f. Referral to the Onslow County Youth Services Program;
- g. Referral to the Marine Corps Community Counseling Center for evaluation and counseling as appropriate;
- h. Referral to the Special Assistant to the U.S. Attorney for prosecution.

\_\_\_\_\_  
Signature and Date

ENCLOSURE (4)

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SAMPLE CORRECTIVE ACTION LETTER

CERTIFIED MAIL - 7099 3220 0007 7070 1394  
RETURN RECEIPT REQUESTED

(Sponsor)  
Street Address  
City, State and Zip Code

Dear (Sponsor):

A \_\_\_\_\_ Report revealed that during January 2001, your dependent, \_\_\_\_\_, was involved in \_\_\_\_\_ aboard Marine Corps Base, Camp Lejeune, North Carolina.

The Commanding General concurs with the recommendations of the Juvenile Disciplinary and Rehabilitation Board, which convened on \_\_\_\_\_. Accordingly, the following requirements apply:

You are hereby officially advised that:

- (1) \_\_\_\_\_ shall write the Commanding General an apology letter.
- (2) \_\_\_\_\_ shall complete twenty hours of community service through the Onslow County Youth Services Program. A representative from Onslow County will contact you to arrange an appointment.

The above requirements must be completed within 90 days after receipt of this letter.

You are hereby officially advised that misconduct of this nature will not be tolerated aboard this installation. \_\_\_\_\_ is hereby warned against further involvement in activities of this nature. Future violations of Base regulations by \_\_\_\_\_ may result in more severe sanctions against him.

Sincerely,

P. T. MCCLENAHAN  
LtCol, U.S. Marine Corps  
Command Inspector

ENCLOSURE (5)

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SAMPLE NON-COMPLIANCE LETTER

CERTIFIED MAIL 7099 3220 0007 7063 9468

RETURN RECEIPT REQUESTED

(Sponsor)

Street Address

City, State and Zip Code

Subj: NON-COMPLIANCE WITH JUVENILE DISCIPLINARY AND REHABILITATION  
BOARD (JDRB) DIVERSION PROGRAM

Ref: (a) BO 5500.5

Encl: (1) Command Inspector's ltr 5512 CINSP of 29 Feb 00

1. The reference tasks the Command Inspector with ensuring that dependent and juvenile misconduct is administered fairly and in accordance with principles of administrative due process. Juveniles who have been the subject of administrative action pursuant to the JDRB must comply with its requirements, which are approved by the Commanding General as a form of Marine Corps Base, Camp Lejeune, informal diversion (Base Diversion). On \_\_\_\_\_, you received the enclosure, directing your dependent, \_\_\_\_\_, to comply with the requirements of his/her JDRB. You are hereby formally notified of your dependent's non-compliance. You are advised that corrective actions must be completed and presented to this office within thirty days after receipt of this letter. Failure to comply with the board's requirements may result in being reevaluated for additional administrative actions, which may include, but are not limited to, permanent loss of base or facility privileges, issuance of persona non-grata letters to the offender, and eviction from base housing. In addition, the case may be reviewed for prosecution in Federal Court by the Special Assistant United States Attorney.

2. You are directed to contact the Command Inspector's Office, Marine Corps Base, Camp Lejeune no later than five working days after receipt of this letter regarding the status of your dependent's actions to comply with the conditions of his Base Diversion.

ENCLOSURE (6)

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3. Point of contact at this command is \_\_\_\_\_, at \_\_\_\_\_.

P. T. MCCLENAHAN  
LtCol, U.S. Marine Corps  
Command Inspector

ENCLOSURE (6)